

IN THE U.S RECEIVING OFFICE FOR THE
PATENT COOPERATION TREATY

Applicants: David A. Edwards, Daniel R. Deaver, Thaddeus R. F. Fulford-Jones, Jane N. Kucera, and Shan-You Tee

International Application No.: PCT/US03/12261

International Filing Date: 17 April 2003

U.S. Serial No.: 10/511,413

Filed: 14 October 2004

For: *"SYSTEM FOR ENHANCED TARGETED DELIVERY"*

Express Mail Label No.: EV 487329014 US

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)**

Sir:

Responsive to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed March 10, 2005, Applicants enclose the following for filing in the above-identified application:

1. Transmittal Form (Form PTO/SB/21);
2. Transmittal Letter to the United States Designated/Elected Office concerning a filing under 35 U.S.C. 371 (Form PTO-1390);
3. Declaration for Patent Application executed by David A. Edwards, Daniel R. Deaver, Thaddeus R. F. Fulford-Jones, Jane N. Kucera, and Shang-You Tee;

4. Power of Attorney and Correspondence Address Indication Form executed by
Alkermes, Inc.;

5. Statement Under 37 CFR 3.73(b) executed by Alkermes, Inc. with copy of
Assignment from Daniel R. Deaver to Alkermes, Inc. and

6. Authorization for the Commissioner to charge Deposit Account No. 50-3129 in the
amount of \$130.00 for the large entity surcharge for late filing the Declaration for Patent
Application.

This application is not entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.
Applicants also enclose a copy of the Notification of Missing Requirements Under 35
U.S.C. 371, mailed March 10, 2005.

The Commissioner is hereby authorized to charge any additional fees that may be due,
or credit any overpayment in connection with this matter, to Deposit Account No. 50-3129.

Respectfully submitted,



Rivka D. Monheit
Reg. No. 48,731

Date: May 9, 2005

PABST PATENT GROUP LLP
400 Colony Square, Suite 1200
1201 Peachtree Street
Atlanta, Georgia 30361
(404) 879-2152 (Telephone)
(404) 879-2160 (Fax)

Title: "System for Enhanced Targeted Delivery"
By: David A. Edwards, Daniel R. Deaver, Thaddeus R. F. Fulford-Jones, Jane N. Kucera, and Shang-You Tee
Filed: May 9, 2005

CERTIFICATE OF MAILING UNDER 37 CFR §1.10

I hereby certify that this **RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**, and any documents referred to as attached therein, are being deposited with the United States Postal Service on this date, May 9, 2005, in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label Number EV 487329014 US, addressed to **Mail Stop PCT**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.



Carla Stone

Date: May 9, 2005

#4

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER HAR 2040
INTERNATIONAL APPLICATION NO. PCT/US03/12261	INTERNATIONAL FILING DATE April 17, 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/511,413
		PRIORITY DATE CLAIMED April 18, 2002
TITLE OF INVENTION SYSTEM FOR ENHANCED TARGETED DELIVERY		
APPLICANT(S) FOR DO/EO/US David A. Edwards, Daniel R. Deaver, Thaddeus R. F. Fulford-Jones, Jane N. Kucera, and Shang-You Tee		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <small>Transmittal Form (Form PTO/SB/21); Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the U.S. Designated/Elected Office (DO/EO/US); Certificate of Mailing Under 37 CFR 1.10; Statement Under 37 CFR 3.73(b) with copy of Assignment from Daniel R. Deaver to Alkemus, Inc.; copy of Notification of Missing Requirements Under 35 U.S.C. 371.</small> 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/511,413		INTERNATIONAL APPLICATION NO. PCT/US03/12261		ATTORNEY'S DOCKET NUMBER HAR 2040	
21. The following fees are submitted:				Applicant use	Office use only
<input type="checkbox"/> a) Basic national fee..... \$300.00 <input type="checkbox"/> b) Examination fee..... \$200.00 <input type="checkbox"/> c) Search fee..... \$500.00				\$	
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)			
- 100 =	/50 =			x \$250.00	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		- 20 =		x \$50.00	\$
Independent claims		- 3 =		x \$200.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$.				\$	
				SUBTOTAL =	\$
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
				TOTAL NATIONAL FEE =	\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
				TOTAL FEES ENCLOSED =	\$ 130.00
05/12/2005 GEREY1 00000136 503129 10511413				Amount to be refunded:	\$
01 FC:1617 130.00 DA				Amount to be charged	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-3129</u> in the amount of \$ <u>130.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3129</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Patrea L. Pabst Pabst Patent Group LLP 1201 Peachtree Street, Suite 1200 Atlanta, Georgia 30361 United States of America					
 SIGNATURE Rivka D. Monheit					
NAME 48,731					
REGISTRATION NUMBER					

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

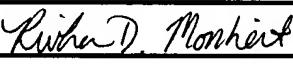
(to be used for all correspondence after initial filing)

TRANSMITTAL FORM	Application Number	10/511,413	
	Filing Date	October 14, 2004	
	First Named Inventor	David A. Edwards	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	17	Attorney Docket Number	HAR 2040

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input checked="" type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="margin-left: 20px;">Response to Notification of Missing Requirements Under 35 U.S.C. 371; Executed Declaration for Patent Application; Statement Under 37 CFR 3.73(b) with copy of Assignment from Inventor to Alkermes, Inc.; Transmittal Letter to the U.S. Designated/Elected Office concerning a filing under 35 U.S.C. 371; copy of Notice of Missing Requirements Under 35 U.S.C. 371; Certificate of Mailing Under 37 CFR 1.10</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Pabst Patent Group LLP		
Signature			
Printed name	Rivka D. Monheit		
Date	May 9, 2005	Reg. No.	48,731

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	---See Certificate of Mailing Under 37 C.F.R. 1.10--	
Typed or printed name	Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Rec'd PCT/PTO 09 MAY 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,413	David A Edwards	HAR 2040

23579
 PATREA L. PABST
 PABST PATENT GROUP LLP
 400 COLONY SQUARE
 SUITE 1200
 ATLANTA, GA 30361

RECEIVED

MAR 14 2005

PATENT DEPT.

INTERNATIONAL APPLICATION NO.

PCT/US03/12261

I.A. FILING DATE	PRIORITY DATE
04/17/2003	04/18/2002

CONFIRMATION NO. 9924
 371 FORMALITIES LETTER



OC000000015341330

Date Mailed: 03/10/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/14/2004
- Copy of the International Search Report filed on 10/14/2004
- Copy of IPE Report filed on 10/14/2004
- Preliminary Amendments filed on 10/14/2004
- Oath or Declaration filed on 10/14/2004
- Copy of references cited in ISR filed on 10/14/2004
- U.S. Basic National Fees filed on 10/14/2004
- Priority Documents filed on 10/14/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Docketed for ① 4-10-05 Rmdr
 Rm 108 ② 5-10-05 Rsp w/1 eot

④ 7-10-05 Rsp w/3 eot
⑤ 8-10-05 Rsp w/4 eot

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,413	PCT/US03/12261	HAR 2040

FORM PCT/DO/EO/905 (371 Formalities Notice)